UNITED STATES DISTRICT COU SOUTHERN DISTRICT OF NEW Y	YORK	v
EDWIN H. PEREZ, -against-	Plaintiff,	-x <u>VERIFIED</u> <u>COMPLAINT</u>
GEE VEE TRUCKING, INC. and JOHAN A. BONILLA-GOMEZ,		
	Defendants.	-X
Plaintiff, by his attorneys, SOI	FFEY & SOFFEY,	complaining of

Plaintiff, by his attorneys, SOFFEY & SOFFEY, complaining of defendants, upon information and belief, states as follows:

FIRST: That at all times hereinafter mentioned, plaintiff was a resident of the State of New York, and, more particularly, resided at No. 20 Secor Place, Yonkers, New York.

SECOND: That at all times hereinafter mentioned, defendant, GEE VEE TRUCKING, INC., (hereinafter referred to as "GEE VEE") was a corporation duly organized and existing under and by virtue of the laws of the State of New York.

THIRD; That at all times hereinafter mentioned, defendant, "GEE VEE" maintained offices for the transaction of its business located at No. 10 Taylor Avenue, Carteret, New Jersey 07008.

FOURTH: That at all times hereinafter mentioned, .

BONILLA-GOMEZ, (hereinafter referred to as "GOMEZ") was a of the State of New Jersey and, more particularly, resided at No. 1

Tysley Place, Raritan, New Jersey 08869.

FIFTH: That at all times hereinafter mentioned, 1 was the owner and operator of a 2016 Toyota Wagon bearing Reg Number HCX 5013 New York.

SIXTH: That at all times hereinafter mentioned, 'VEE" was the owner of a 2010 Peterbilt Truck Model 388 bearing Registration Number AP511N New Jersey.

<u>SEVENTH</u>: That at all times hereinafter mentioned, 'was an employee of "GEE VEE".

EIGHTH: That at all times hereinafter mentioned, 'operated the aforesaid vehicle owned by "GEE VEE" in the course employment and pursuant to the business of "GEE VEE".

NINTH: That at all times hereinafter mentioned, ' operated "GEE VEE's" aforementioned vehicle with the consent ϵ permission of "GEE VEE".

TENTH: That at all times hereinafter mentioned, Route 9

South at the intersection of Perrine Road was a public roadway for the accommodation of vehicular and pedestrian traffic.

ELEVENTH: That this action is commenced pursuant to 28 US Code §1332.

TWELFTH: That there is a diversity of citizenship of plaintiff, a citizen of the State of New York, and defendants who are citizens of the State of New Jersey.

THIRTEENTH: That the matter in controversy herein exceeds the sum of Seventy-Five Thousand (\$75,000.00) Dollars.

<u>FOURTEENTH</u>: That on June 26, 2018 at approximately 9:15 A.M, plaintiff was operating his vehicle on Route 9 South. He was operating same in the middle lane of traffic bringing his vehicle to a stop at the intersection of Perrine Road.

FIFTEENTH: That while plaintiff's vehicle was legally stopped at the aforesaid location, defendant, "GOMEZ", in the operation of "GEE VEE's" aforesaid vehicle, did not bring his vehicle to a stop and struck the rear of plaintiff's vehicle with the front of the vehicle he was operating.

<u>SIXTEENTH</u>: That in acting as aforestated in paragraph "FOURTEENTH" and "FIFTEENTH", hereinabove, defendants were careless and negligent.

<u>SEVENTEENTH</u>: That as a result of the aforesaid accident, plaintiff sustained serious and permanent injuries which have required surgery, medication, medical treatment and future additional surgery.

EIGHTEENTH: That plaintiff, himself, was in no manner careless or negligent in the circumstances that brought about the aforedescribed accident.

<u>NINETEENTH</u>: That by reason of the foregoing, plaintiff has been damaged in the sum of Five-Hundred Thousand (\$500,000.00) Dollars.

<u>TWENTIETH</u>: That plaintiff hereby demands trial by jury.

WHEREFORE, plaintiff demands judgment in the sum of Five-Hundred Thousand (\$500,000.00) Dollars together with the costs and disbursements of this action.

SOFFEY'& SOFFEY LLC

By: Joseph E. Soffey Attorneys for Plaintiff Office & P.O. Address

821 Franklin Avenue, Suite 304 Garden City, New York 11530

516-294-1996

ATTORNEY VERIFICATION BY AFFIRMATION

STATE OF NEW YORK)
)ss.:
COUNTY OF NASSAU)

I, the undersigned, am an attorney admitted to practice in the Courts of New York State, and say that:

I am the attorney of record, or of counsel with the attorney(s) of record, for plaintiff. I have read the annexed Complaint, know the contents thereof and the same are true to my knowledge, except those maters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon the following: statements, records and papers maintained in my file.

The reason I make this Affirmation instead of plaintiff is that plaintiff do not reside in the County wherein deponent has his office for the practice of law.

I affirm that the foregoing statements are true under penalties of perjury.

Dated: Garden City, New York November 27, 2019

> Jaseph Saffey 108EPH E. SOFFEY